

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JULIA SHEAFOR,

Plaintiff,

v.

Case No. 07-CV-906

GMR MARKETING, LLC,

Defendant.

ORDER

On October 9, 2007, plaintiff Julia Sheafor filed a complaint naming GMR Marketing, LLC as defendant. The complaint alleges that defendant, as plaintiff's employer, violated Title VII of the Civil Rights Act of 1964 by treating plaintiff less favorably than her male counterparts, and by treating plaintiff less favorably than her Caucasian counterparts. Plaintiff paid the filing fee for this action, and filed a certificate of interest. However, no answer to the complaint or other pleading by any party has been subsequently filed. It appears that as of the date of this order, the defendant has not been served with a summons and complaint, or waived such service.

Rule 4(m) of the Federal Rules of Civil Procedure states the following:

If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

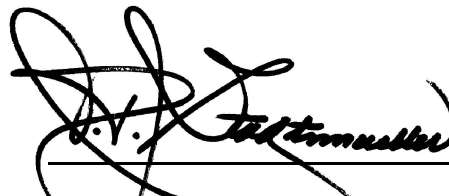
Fed.R.Civ.P. 4(m). The period to serve the summons and complaint on defendant expired on February 6, 2008, 120 days after plaintiff filed her complaint. Accordingly, plaintiff shall have twenty (20) days from the date of this order to provide good cause for the failure to timely serve defendant with a summons and complaint. If plaintiff does not provide good cause for failing to timely service defendant, the court will dismiss the complaint without prejudice pursuant to Federal Rule of Civil Procedure 4(m) and Civil Local Rule 41.1.

Accordingly,

IT IS ORDERED that plaintiff shall have twenty (20) days from the date of this order to provide good cause for the failure to timely serve defendant with a summons and complaint; if no good cause is provided, the court will dismiss this action without prejudice.

Dated at Milwaukee, Wisconsin, this 17th day of December, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge